

**Information to identify the case:****Misty Lee Roberts**

Debtor 1:

First Name   Middle Name   Last Name

Social Security number or ITIN: xxx-xx-3280

EIN: \_\_\_\_\_

**James Darin Clemons**

Debtor 2:

(Spouse, if filing)

First Name   Middle Name   Last Name

Social Security number or ITIN: xxx-xx-5716

EIN: \_\_\_\_\_

United States Bankruptcy Court: U.S. Bankruptcy Court, District of Montana

Date case filed for chapter: 13 2/28/23

Case number: 1:23-bk-10019-BPH

**Official Form 309I****Notice of Chapter 13 Bankruptcy Case**

10/20

**For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.**

**Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.**

	<b>About Debtor 1:</b>	<b>About Debtor 2:</b>
<b>1. Debtor's full name</b>	Misty Lee Roberts	James Darin Clemons
<b>2. All other names used in the last 8 years</b>	dba dba Medicine Flower Lodge	
<b>3. Address</b>	29 Powder River Lane Red Lodge, MT 59068	29 Powder River Lane Red Lodge, MT 59068
<b>4. Debtor's attorney</b> Name and address	ANDREW W PIERCE Pierce Law Firm, PC PO Box 280 1800 S. Reserve St. Suite B Missoula, MT 59806-0280	Contact phone 406-540-5206  Email: drew@piercelawmt.com
<b>5. Bankruptcy trustee</b> Name and address	ROBERT G. DRUMMOND PO BOX 1829 GREAT FALLS, MT 59403	Contact phone 406 761-8600  Email: Trustee@MTChapter13.com
<b>6. Bankruptcy clerk's office</b> Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="https://pacer.uscourts.gov">https://pacer.uscourts.gov</a> .	Room 263 Federal Building 400 North Main Butte, MT 59701	Hours open: 8:00AM – 5:00PM  Contact phone (406)497-1240  Date: 2/28/23

**For more information, see page 2**

<b>7. Meeting of creditors</b>	<b>March 28, 2023 at 01:10 PM</b>	<b>Location:</b> Video Conference 341 Meeting, Contact the case trustee at:, tfloerchinger@mtchapter13.com
Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	
<b>8. Deadlines</b>	<b>Deadline to file a complaint to challenge dischargeability of certain debts:</b> <b>You must file:</b> <ul style="list-style-type: none"><li>• a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f), or</li><li>• a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4).</li></ul> <b>Deadline for all creditors to file a proof of claim (except governmental units):</b> <b>Deadline for governmental units to file a proof of claim:</b>	<b>Filing deadline: 5/30/23</b> <b>Filing deadline: 5/9/23</b> <b>Filing deadline: 8/28/23</b>
	<b>Deadlines for filing proof of claim:</b> A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.uscourts.gov">www.uscourts.gov</a> or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed. Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.	
<b>9. Filing of plan</b>	The debtor has not filed a plan as of this date. The last day to object to the plan is: <b>4/18/23</b> . The hearing on confirmation will be held on: Date: <b>4/25/23</b> , Time: <b>09:00 AM</b> , Location: <b>2601 2nd Avenue North, Billings, MT 59101</b>	<b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors
<b>10. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>11. Filing a chapter 13 bankruptcy case</b>	Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="https://pacer.uscourts.gov">https://pacer.uscourts.gov</a> . If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline.	
<b>13. Discharge of debts</b>	Confirmation of a chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a motion by the deadline.	

**NOTICE:**

**In accordance with 11 U.S.C. § 1307(c) and Mont. LBR 2003-7  
debtor's failure to attend the 341 meeting will be cause for dismissal  
without further notice.**

Official Form 309I

Notice of Chapter 13 Bankruptcy Case

page 2

United States Bankruptcy Court  
District of Montana

In re:  
Misty Lee Roberts  
James Darin Clemons  
Debtors

Case No. 23-10019-BPH  
Chapter 13

District/off: 0977-1  
Date Rcvd: Feb 28, 2023

User: ColeenHan  
Form ID: 309I

Page 1 of 3  
Total Noticed: 45

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 02, 2023:**

Recip ID	Recipient Name and Address
db/jdb	+ Misty Lee Roberts, James Darin Clemons, 29 Powder River Lane, Red Lodge, MT 59068-9572
tr	+ ROBERT G. DRUMMOND, PO BOX 1829, GREAT FALLS, MT 59403-1829
1430113	ARM Solutions, PO Box 3666, Camarillo, CA 93011-3666
1430112	Alpine Home Improvements, LLC, Po Box 2313, Red Lodge, MT 59068-2313
1430116	+ Builders First Source, Inc., 5519 20th Street E, Tacoma, WA 98424-2057
1430119	CB1, Inc., PO Box 7429, Missoula, MT 59807-7429
1430121	+ CORBUS MONTANA PROPERTIES TRUST, PO Box 204, Red Lodge, MT 59068-0204
1430118	+ Carbon County Treasurer, PO Box 828, Red Lodge, MT 59068-0828
1430120	#+ Commercial Collections of America, LLC, 2180 W Grant Line Rd. Ste 202, Tracy, CA 95377-7343
1430122	+ Credit Collections Bureau, PO Box 9490, Rapid City, SD 57709-9490
1430127	+ G Barclay Corbus, PO Box 204, Red Lodge, MT 59068-0204
1430129	GB Collects, LLC, 1253 Haddonfield Berlin Rd, Voorhees, NJ 08043-4847
1430131	+ Jacqueline Papez, P.O. Box Box 1185, Helena, MT 59624-1185
1430132	Joseph Mann & Creed, 20600 Chagrin Blvd. Ste. 550, Collection Agency, Shaker Heights, OH 44122-5340
1430134	Michael J. Klepperich, 490 N 31st St Ste 500, Billings, MT 59101-1267
1430135	+ Midway Rental, PO Box 5450, Kalispell, MT 59903-5450
1430141	+ PJ Property Management and Tree Removal Service, L, PO Box 2313, Red Lodge, MT 59068-2313
1430143	+ Practical Taxes Inc., PO Box 21285, Billings, MT 59104-1285
1430146	+ Sean Richards, PO Box 2562, Red Lodge, MT 59068-2562
1430150	Towe, Ball, Mackey, PO Box 30457, Sommerfeld & Turner, PLLP, Billings, MT 59107-0457
1430151	+ U.S. Attorney - BK Notices, U.S. Court House, 2601 Second Ave. North, Billings, MT 59101-2230
1430152	+ US Department of Justice, 700 Grant St Suite 3110, Pittsburgh, PA 15219-1957

TOTAL: 22

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	Email/Text: drew@piercelawmt.com	Feb 28 2023 21:10:00	ANDREW W PIERCE, Pierce Law Firm, PC, PO Box 280, 1800 S. Reserve St., Suite B, Missoula, MT 59806-0280
ust	+ Email/Text: ustp.region18.bs.ecf@usdoj.gov	Feb 28 2023 21:10:00	OFFICE OF THE U.S. TRUSTEE, US DEPT OF JUSTICE, 550 WEST FORT ST, RM 698, BOISE, ID 83724-0101
1430111	+ EDI: GMACFS.COM	Mar 01 2023 02:13:00	Ally Financial, Inc, Attn: Bankruptcy 500 Woodard Ave, Detroit, MI 48226-3416
1430114	+ Email/Text: bknottices@bankofthewest.com	Feb 28 2023 21:10:11	Bank Of The West, 180 Montgomery Street 25th Floor, Attn: Bankruptcy, San Francisco, CA

1430115	+ EDI: TSYS2	Mar 01 2023 02:13:00	94104-4206 Barclays Bank Delaware, Attn: Bankruptcy, PO Box 8801, Wilmington, DE 19899-8801
1430124	Email/Text: collector@creditservice.com	Feb 28 2023 21:10:00	Credit Service Co., Inc., 960 S. 24th W. Ste D, Billings, MT 59102
1430117	+ EDI: CAPITALONE.COM	Mar 01 2023 02:13:00	Capital One, PO Box 30285, Attn: Bankruptcy, Salt Lake City, UT 84130-0285
1430123	+ Email/PDF: creditonebknotifications@resurgent.com	Feb 28 2023 21:12:16	Credit One Bank, Attn: Bankruptcy Department, PO Box 98873, Las Vegas, NV 89193-8873
1430125	+ Email/Text: collector@creditservice.com	Feb 28 2023 21:10:00	Credit Service Company, Po Box 80908, Attn: Bankruptcy, Billings, MT 59108-0908
1430126	+ EDI: AMINFOFP.COM	Mar 01 2023 02:13:00	First Premier Bank, Po Box 5524, Attn: Bankruptcy, Sioux Falls, SD 57117-5524
1430130	EDI: IRS.COM	Mar 01 2023 02:13:00	IRS, PO Box 7346, Philadelphia, PA 19101-7346
1430138	Email/Text: DORBankruptcyNotices@mt.gov	Feb 28 2023 21:10:00	MT Dept of Revenue, Bankruptcy Unit, PO Box 7701, Helena, MT 59604-7701
1430137	Email/Text: DORBankruptcyNotices@mt.gov	Feb 28 2023 21:10:00	MT Dept of Revenue, PO Box 7701, Bankruptcy Unit, Helena, MT 59604-7701
1430136	Email/Text: dlibankruptcy@mt.gov	Feb 28 2023 21:10:00	MT Department of Labor & Industry, Montana Unemployment Insurance Division, PO Box 6339, Helena, MT 59604-6339
1430133	+ Email/Text: bknotices@mbandw.com	Feb 28 2023 21:10:00	McCarthy, Burgess, & Wolff, 26000 Cannon Road, Cleveland, OH 44146-1807
1430139	+ EDI: NAVIENTFKASMSERV.COM	Mar 01 2023 02:13:00	Navient, Po Box 9640, Attn: Bankruptcy, Wilkes-Barre, PA 18773-9640
1430142	EDI: PRA.COM	Mar 01 2023 02:13:00	Portfolio Recovery Associates, LLC, Attn: Bankruptcy 120 Corporate Boulevard, Norfolk, VA 23502
1430140	+ EDI: RMSC.COM	Mar 01 2023 02:13:00	PayPal Credit, PO Box 5138, Timonium, MD 21094-5138
1430144	+ Email/Text: ngisupport@radiusgs.com	Feb 28 2023 21:10:00	Radius Global Solutions, LLC, PO Box 390846, Minneapolis, MN 55439-0846
1430145	+ Email/Text: bankruptcy@revenueenterprises.com	Feb 28 2023 21:10:00	Revenue Enterprises LLC, Attn: Bankruptcy, PO Box 441368, Aurora, CO 80044-1368
1430147	+ Email/Text: srsbankruptcy@statesrecovery.com	Feb 28 2023 21:10:00	States Recovery Systems, Attn: Bankruptcy, PO Box 2860, Rancho Cordova, CA 95741-2860
1430148	^ MEBN	Feb 28 2023 21:09:22	Synergetic Communications, Inc., 5450 N.W. Central #220, Houston, TX 77092-2061
1430149	+ EDI: WTRRNBNK.COM	Mar 01 2023 02:13:00	Target Nb, C/O Financial & Retail Services, Mailstop BT PO Box 9475, Minneapolis, MN 55440-9475

TOTAL: 23

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
1430128	*+	G. Barclay Corbus, PO Box 204, Red Lodge, MT 59068-0204
1430110	##+	Akidoi Inc., P.O. Box 1570, Red Lodge, MT 59068-1570

TOTAL: 0 Undeliverable, 1 Duplicate, 1 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 02, 2023

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 28, 2023 at the address(es) listed below:

Name	Email Address
ANDREW W PIERCE	on behalf of Debtor Misty Lee Roberts drew@piercelawmt.com drew@piercelawmt.com;tasha@piercelawmt.com;PierceLawFirmPC@jubileebk.net
ANDREW W PIERCE	on behalf of Joint Debtor James Darin Clemons drew@piercelawmt.com drew@piercelawmt.com;tasha@piercelawmt.com;PierceLawFirmPC@jubileebk.net
OFFICE OF THE U.S. TRUSTEE	ustp.region18.bs.ecf@usdoj.gov
ROBERT G. DRUMMOND	Trustee@MTChapter13.com kprinzing@MTChapter13.com;tfloerchinger@MTChapter13.com;rdrummond13@ecf.epiqsystems.com

TOTAL: 4